

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JORGE PAVON HERNANDEZ,

Plaintiff,

-against-

GEMINI DINER INC. et al.,

Defendants.

20-cv-4741 (PAE) (OTW)

INITIAL CASE MANAGEMENT CONFERENCE ORDER

ONA T. WANG, United States Magistrate Judge:

An Initial Pretrial Conference in accordance with Rule 16(b) of the Federal Rules of Civil Procedure will be held telephonically on **Tuesday, October 20, 2020 at 4:30 p.m.** The dial in information is (866) 390-1828, access code 1582687.

Rule 16(b) Conference. The parties are required to discuss at the conference the subjects set forth in Rule 16(b) and (c) of the Federal Rules of Civil Procedure. In any action in which subject matter jurisdiction is founded on diversity of citizenship pursuant to 28 U.S.C. § 1332, the party asserting the existence of such jurisdiction must be prepared to discuss at the conference the basis for that party's belief that diversity of citizenship exists. Where any party is a corporation, counsel shall provide both the place of incorporation and the principal place of business. In cases where any party is a partnership, limited partnership, limited liability company or trust, counsel shall provide the citizenship of each of the entity's members, shareholders, partners or trustees.

Rule 26(f) Conference. Counsel for the parties are directed to confer at least 21 days before the date of the Initial Case Management Conference to discuss the matters set forth in Rule 26(f) of the Federal Rules of Civil Procedure. The parties shall comply with their Rule 26(a) initial disclosure obligations no later than 14 days after the parties' Rule 26(f) conference.

Proposed Scheduling Order. Parties are directed to complete the Report of Rule 26(f) Meeting and Proposed Case Management Plan, available at <https://www.nysd.uscourts.gov/hon-ona-t-wang>, and file it via ECF one week before the Initial Conference, i.e., **by October 15, 2020**.

Counsel who disagree about the dates or other terms of the proposed schedule shall submit a joint letter briefly explaining the dispute. Such letter, if any, must be submitted one week before the Initial Conference, i.e., **by October 15, 2020**. The letter shall be filed via ECF.

Attendance. Counsel attending must be authorized to make stipulations and admissions about all matters that can reasonably be anticipated for discussion at a pretrial conference.

Consent to Proceed Before the Magistrate Judge. The parties shall discuss whether they consent to conduct all proceedings, including a trial, before the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(c). If all parties consent, they shall complete the Consent to Proceed Before a U.S. Magistrate Judge form available on the Court's website at <http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge> and file such form with the assigned District Judge before the Initial Pretrial Conference.

ECF. This case has been designated an electronic case. Counsel for all parties are required to register as filing users in accordance with the Procedures for Electronic Case Filing promptly upon appearing in the case.

Counsel shall familiarize themselves with the Court's individual rules, available at <https://www.nysd.uscourts.gov/hon-ona-t-wang>.

Counsel who have entered an appearance as of the date of this order are directed to notify all other parties' attorneys in this action by serving upon each of them a copy of this order. If unaware of the identity of counsel for any of the parties, counsel receiving this order must send a copy of this order to that party personally.

SO ORDERED.

Dated: September 10, 2020
New York, New York

s/ Ona T. Wang
Ona T. Wang
United States Magistrate Judge